



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

LETTER OF DEFICIENCY
WET 06-009

January 24, 2006

Gerald & Mona Winn
69 Meadow Street
Littleton, NH 03561

RE: DES Wetlands File #2005-02524 Old Waterford Road, Littleton

Dear Mr. and Ms. Winn:

On December 8, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Littleton Tax Map 44 as Lot 12 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiency was documented:

1. Approximately 1200 square feet of fill material had been placed in a wetland without a permit from DES.

In response, you are requested to take the following actions:

1. By July 15, 2006, remove fill material down to original hydric soils and place out of DES Wetlands Bureau jurisdiction;
2. Immediately after removing the fill, seed exposed soils where fill was removed with a wetland conservation mix and mulch the area with straw (not hay); and
3. By August 1, 2006, provide a narrative describing the work done, "before and after" photos depicting the restoration, and a copy of the seed and mulch receipts to DES.
4. No machinery may be used in undisturbed wetland areas.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative

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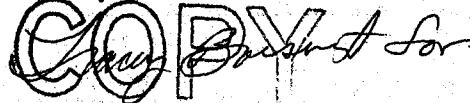
orders, or referral to the New Hampshire Office of the Attorney General for imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Linda Magoon at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Collis G. Adams", is written over a large, bold, outlined word "COPY".

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8439 3732

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Littleton Conservation Commission
Littleton Board of Selectmen
USACOE